

TENNESSEE BOARD OF COMMUNICATION DISORDERS AND SCIENCES

DATE: August 06, 2019

TIME: 10:00 A.M., CDT

LOCATION: Health Related Boards
Poplar Room
665 Mainstream Dr
Nashville, TN 37243

BOARD MEMBERS PRESENT: Mary Velvet Buehler, Chair, Au.D Audiologist
Julie A Davis, Speech Pathologist
Debby Starr, Au.D, Audiologist
Carrie Crittendon, Au.D, Audiologist
Ellen Pearson, Speech Pathologist

BOARD MEMBERS ABSENT: Kimberly Vinson, MD, Otolaryngologist
Richard Morton, Citizen Member

STAFF MEMBERS PRESENT:
Michele Tamayo, Board Administrator
Teddy Wilkins, Unit Director
Mark Waters, Deputy General Counsel
Ashley Fine, Assistant General Counsel

Ms. Velvet Buehler, Chair, called the meeting to order at 9:55 am. A roll call was conducted and a quorum was present.

Mark Waters, Deputy General Counsel introduced Ms. Ashley Fine, who will be taking over as the Board Advisory Attorney for Christie Taylor. Teddy Wilkins shared her confidence in Ms. Fine who took Teddy's position when she left OGC.

Review/Approve Board Meeting Minutes

Upon review of the May 7, 2019 minutes, Ms. Crittendon made a motion, seconded by Ms. Davis, to approve the minutes as written. The motion carried.

Investigative Report

Ms. Lori Leonard, Disciplinary Coordinator for all Non-nursing Boards gave the following report:

There are two (2) currently monitored practitioners; one (1) is a reprimand or board order and one is a revocation who is making payments on her fees. The reprimand has been sent to collections for nonpayment.

Speech Language Pathologist: There were three (3) new complaints opened so far in 2019; One (1) for falsification of records, one for fraud and false billing and one (1) for a lapsed license. A total of four (4) complaints were closed; of the four closed complaints; one was closed with insufficient evidence to discipline, one (1) was sent to the Office of General Council for formal discipline, and two (2) closed with letters of warning. As you know letters of warning and letters of concern are not reported to the National Practitioner Databank, therefore they are not considered formal discipline. Currently there are three (3) open complaints being investigated.

Audiologist: There is one (1) new complaint so far in 2019, the complaint is regarding criminal charges, there are seven (7) open complaints being investigated and/or reviewed at this time. They have closed no complaints so far in 2019.

Speech Pathology Assistants: No new complaints in 2019, none were closed and none opened to be investigated.

OGC Report

Mark Waters presented the following OGC report;

Mr. Waters read aloud the Conflict of Interest Policy and Open Meeting Act Policy.

Disciplinary Activity

At this time the Office of General Counsel has one Consent Order for Ms. Virginia D. Ely a Speech Language Pathologist. Ms. Ely was working at Cookeville Regional Medical Center, where she was asked to take a drug screen in May of 2017, which was found positive for benzodiazepines and THC. Ms. Ely admitted to taking a family member's Klonopin on occasion and to infrequently using marijuana. She was ordered by the medical center to complete a substance abuse assessment. She signed an acknowledgement of illegal drug use and made an agreement with Cookeville Regional Medical Center of steps she needed to complete before returning to work. The assessment recommended Ms. Ely complete a two (2) hour substance abuse education course, submit to regular drug testing for two years, and participate in ten (10) psychotherapy sessions. She completed the substance abuse course in June 2017. The discipline in this order is that Ms. Ely's license will be placed on probation for at least a year until she completes the following: Three (3) hours of continuing education for substance abuse, in addition to the continuing education required to maintain licensure, provide proof of completing all the recommendations from her substance abuse assessment, and a letter from the psychologist who did the assessment indicating that her license should be returned to unencumbered status and that she is safe to resume practice.

Ms. Crittendon made a motion to ratify the order, seconded by Ms. Starr. The motion carried.

Rule Activity

The Rules are currently still in internal review. It is expected we may be able to have the rule making hearing at the February 2020 meeting.

Mr. Waters asked that the board to vote to allow the Director of Health Related Boards to conduct a Rule making on the board's behalf to include the CDS Board in that hearing to comply with this public chapter 243. Public Chapter 243 requires all the board to promulgate

rules concerning the Americans with Disabilities Act (ADA), and provide accommodations for exams if needed. Since this public chapter affects many boards the Director of the Health Related Boards can do a rule making hearing that includes CDS with the board's approval.

Ms. Crittendon made a motion to allow the Director of HRB to conduct a rule making hearing, seconded by Ms. Pearson, a roll call vote was held, all voted aye, the motion carried.

Legislature

Ms. Sarah Warner with the Office of Legislative Affairs delivered an update of all new or updated public chapters that affect the Board of Communication Disorders and Sciences.

Public Chapter 195

The majority of this act pertains to boards governed by the Department of Commerce and Insurance. One small section applies to the health related boards. Currently, the health related boards have an expedited licensure process for military members and their spouses. Previously, a spouse of an active military member had to leave active employment to be eligible for this expedited process. This act removes that requirement. This section applies to all health related boards. The Commissioner of Health is permitted to promulgate rules, but rules are not needed to implement the act.

This act takes effect July 1, 2019.

Public Chapter 229

This act allows healthcare professionals to accept goods or services as payment in direct exchange of barter for healthcare services. Bartering is only permissible if the patient to whom services are provided is not covered by health insurance. All barter accepted by a healthcare professional must be submitted to the IRS annually. This act does not apply to healthcare services provided at a pain management clinic.

This act took effect April 30, 2019.

Public Chapter 243

This act mandates that an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination must provide appropriate accommodations in accordance with the Americans with Disabilities Act (ADA). Any state agency that administers a required examination for licensure (except for examinations required by federal law) shall promulgate rules in regard to eligibility criteria. This legislation was introduced to assist individuals with dyslexia.

This act took effect May 2, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2020.

Public Chapter 329

This act modernizes language throughout state law referring to individuals with hearing loss. The language "hearing impaired" is removed from the code and replaced with "deaf or hard of hearing." The term "deaf or hard of hearing" shall not be construed to infringe on any right, protection, and/or absolve any entity of its obligations under the ADA or other relevant law.

This act took effect May 8, 2019.

Public Chapter 447

This act permits law enforcement agencies to subpoena materials and documents pertaining to an investigation conducted by the Department of Health prior to formal disciplinary charges being filed against the provider. This bill was brought by the Tennessee Bureau of Investigation.

This act went into effect May 22, 2019.

Administrative Report

Michele Tamayo provided the following administrative report:

As of August 3, 2019, there are a total of 453 licensed Audiologists, 2937 licensed Speech Language Pathologists, and 137 registered Speech Language Pathology Assistants.

Between, May 01, 2019 and August 3, 2019

There were Seventeen (17) newly licensed Audiologists, fifteen (15) new Audiology Clinical Externs, six (6) Audiologist retired, two (2) expired, and zero (0) reinstatement. A total of fifty-eight (58) Audiologists renewed, forty-five (45) of those completed the renewal online, for a percentage of 78%.

There were ninety-five (95) newly licensed Speech Language Pathologists, seventy-four (74) new Provisionally Licensed Clinical Fellows, fifty (50) Speech Language Pathologist retired, thirty-six (36) expired, and nine (9) reinstatements. Three hundred fifty-six (356) Speech Pathologists have renewed their licenses; two hundred sixty-six (266) renewals were completed online for a percentage of 75%.

There were four (4) new Speech Language Pathology Assistants registered, two (2) retired, two (2) expired, and zero (0) reinstatements. A total of ten (10) Speech Language Pathology Assistants renewed, with seven (7) renewals completed online for a percentage of 70%,

Ms. Tamayo reviewed the remaining scheduled board meeting dates for 2019 and the proposed meeting dates for 2020

October 29, 2019

February 4, 2020

May 5, 2020

August 4, 2020

November, 10 2020

Newly Licensed/Registered

Newly Licensed Speech Pathologists

Upon review Ms. Starr made a motion seconded by Ms. Pearson, to approve the following newly licensed Speech Language Pathologist. The motion carried.

6451 Abney, Casey

6744 Addicks, Kristen

6770 Addo, Reinfred

6464 Albertson, Bobbie

6698 Allen, Kelsey

6502 Amberger, Kayla

6764 Ashley-Biggus, Merrilyn

6824 Bartolotti, Jennifer

6623 Begle, Alyssa

6290 Boring, Kelsey

6553 Bradley, Emily

6595 Brewer, Victoria

6460 Bumpus, Nan

6837 Burgess, Andrea

6487 Clarke, Abigail

6841 Coghill, Kaylee

6482 Collins, Madison

6866 Coonce, Allison

6523 Coppock, Morgan

6741 Corey, Annunciata

6506 Crouch, Shelby
6848 Davis, Victoria
6746 Denmark, Michele
6415 Deriemacker, Sarah
6349 Dowdy, Melissa
6469 Draper, Lindsay
6467 Duncan, Jennifer
6575 Edmonds, Shelby
6797 Eskew, Kelsey
6771 Falconer, Caitlin
6795 Farris, Dorothy
6532 Gaines, Madelynne
6833 Garnett, Dorothy
6738 Godsen, Joyce
6753 Graham, Caitlyn
6401 Gray, Mary
6859 Grimm, Janessa
6294 Gruenenfelder, Mallory
6511 Hamby, Jonna
6548 Hamm, Emily
6479 Harris, Macy
6819 Hill, Elizabeth
6752 Hinton, Ansley
6078 Holt, Nicola
6759 Hughes, Amanda
6750 Jameson, Martha
6413 Johnson, Erin
6494 Johnson, Pamela
6557 Jones, Alicia
6822 Kaufman, Aaron
6483 King, Kaitlin
6577 Kiser, Andrea
6757 Ladd, Karlyn
6670 Langston, Emily
6521 Leofsky, Abigail
6507 Locke, Claire
6584 Lucas, Rebekah
6517 Margiotta, Keliann

6466 Marley, Victoria
6821 Massart, Ashley
6794 Mathenia, Madison
6749 McLean, Rachael
6803 Monroe, Taylor
6516 Morgan, Kelli
6716 Murphy, Catherine
6806 Murray, Ashby
6767 Nicholson, Elizabeth
6456 Nokes, Rachel
6760 Nunn, Shelby
6762 Osborn, Alyssa
6754 Parker, Mary
6564 Petty, Kendra
6840 Pfeiffer, Rita
6812 Pruden, Kimberly
6509 Randall, Kate
6802 Ratcliff, Kristina
6861 Reeves, Kathleen
6873 Renfro, Megan
6742 Richardson, Breanna
6823 Ritter, Shelby
6761 Rudemiller, Anna
6527 Schrag, Sarah
6486 Schreiber, Victoria
6867 Sharkey, Carly
6811 Stiriz, Jennifer
6778 Swayne, Andrew
6745 Taggart, Rachel
6769 Thomas, Shanika
6849 Tomiczek, Nicole
6589 Tucker, Erin
6711 Uelhof, Olivia
6816 Veldink, Allyssa
6515 Volking, Emily
6875 Weesner, Katie
6484 Wheeler, Heidi

Newly Licensed Audiologists

Upon review Ms. Crittendon made a motion seconded by Ms. Starr, to approve the following newly licensed Audiologist. The motion carried.

1871 Acosta, Virginia
1950 Altman, Erica
1874 Bailey, Emma
1896 Berg, Katelyn
1957 Borton, Bettie
1943 Burnett, Rachel

1949 Fallon, Brooke
1893 Lyon, Paige
1878 Mangialardi, Allison
1916 McCurry, Rachel
1883 Meek, Katelyn
1875 Powers, Sidney

1929 Roberts, Elizabeth
1948 Sakaan, Madison
1889 Spangler, Carol

1867 Thode, Madison
1892 Wiacek, Rebecca

Newly Registered Speech Language Pathologist Assistants

Upon review Ms. Starr made a motion seconded by Ms. Crittendon, to approve the following newly registered Speech Language Pathology Assistants. The motion carried.

592 Jamorzik, Gina
591 Jarvio, Karoline

576 Miller, Sheneria
594 Overbay, Candace

Reinstatements

Upon review Ms. Starr made a motion to ratify the reinstatements of the following Speech Pathologists, seconded by Ms. Pearson. The motion carried.

Speech Pathologist Reinstatements

5412 Baisley, Hannah
4436 Conner, Jessica
4548 Fielder, Rachel
5370 Godwin-Davis, Kathryn
2113 Goodwin, Sherrie

5058 Hall, Whitney
3238 Parson, Heather
2324 Pittman, Dana
2754 Wolfe, Kristen

Agreed Citations

Ms. Ashley Crosby SLP #5549 did not complete her Continuing Education for 2017 and 2018. She was given a \$100.00 fine and asked to complete those hours.

Ms. Starr made a motion; seconded by Ms. Crittendon to approve Ms. Crosby's agreed citation. The Motion carried.

Correspondence

No correspondence at this time

Adjournment

With no other Board business to conduct, Ms. Starr made a motion, seconded by Ms. Crittendon to adjourn the meeting. The motion carried, the meeting was adjourned at 10:23 a.m.

Ratified by the Board October 292019